


REMARKS

The Office Action mailed August 16, 2009, has been reviewed and the Examiner's comments carefully considered. Applicant has amended the claims and added new claims 17-23 to the application. Thus, claims 1-23 are now pending.

Applicant acknowledges that the Examiner objects to the term "double yarn" and has rejected claim 2 under 35 U.S.C. § 112, second paragraph for this reason. However, contrary to the Examiner's assertion, the term "double yarn" is well-known in the art. For example, Applicant directs the Examiner's attention to the term "double yarn" contained in a glossary of textile terminology that is available on the following webpage:

<http://www.textile.org.uk/Glossary/d.htm> (copy attached). Claim 3 depends from claim 1 and not claim 2 and, therefore, Applicant has assumed that claim 3 is not rejected under 35 U.S.C. § 112. In addition, claims 5-16 are rejected under 35 U.S.C. § 112, second paragraph. Claim 5 has been amended where appropriate. Reconsideration and withdrawal of the objection and rejections is respectfully requested.

Regarding the objection to the drawings, Applicant contends that "doubled yarn" is a conventional feature that is not essential for a proper understanding of the claims. Thus, according to 37 C.F.R. § 1.83(a), the double yarn may be illustrated simply by the yarn shown in the figures. If the Examiner insists on maintaining the rejection, Applicant will appropriately amend the drawings once the application is otherwise in condition for allowance.

Substantively, claims 1-16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,385,367 (Tanaka et al.). Applicant requests that the Examiner clarify whether the rejection is made based on the combination of Tanaka and U.S. Patent No. 5,682,771 (Forest et al). Forest is mentioned in paragraph seven of the Office Action, but is not part of the rejection. Regardless, the rejection should be withdrawn, because a *prima facie* case of obviousness has not been made. Neither reference discloses, teaches or suggests the claimed invention, and there is no motivation for combining the references.

It is not disputed that Tanaka fails to disclose the use of yarns 3000 denier or below for an additional yarn. The Examiner contends that "Forest et al. teaches [a] that yarns of 3000 denier or below are used in air bag covers," and that "it would have been obvious ... to provide the yarns of Tanaka . . . as 3000 denier or below in order to provide the characteristics associated with such sized yarns for air bag fabrics as shown by Forest." However, the Examiner failed to identify those characteristics shown by Forest that would motivate one of ordinary skill to find the claimed invention obvious. Thus, a *prima facie* case of obviousness has not been made. On page 6 of the present application, the applicant sets forth that "[i]f the thickness of the additional yarn 30 exceeds 3000 d, the warp knitted fabric becomes thicker, and provides worse texture due to roughness of the knitted loops." However, the Examiner may not use this reason to combine the references. Furthermore, Forest provides no teaching related to fabric for inflatable air belts. Forest is related to a seat cover that contains an air bag, but is not related to an inflatable air belt. Reconsideration and withdrawal of the rejection is respectfully requested.

In addition, the rejection should be withdrawn because none of the cited references disclose, teach or suggest the invention claimed in claims 1-16. For example, regarding claim 6, the cited references fail to disclose a fabric "wherein the first additional yarn is positioned to establish a link between closest loops of the knitting yarn, and wherein the second additional yarn is positioned to establish a link between the next closest loops." The remaining claims include similar limitations not disclosed, suggested or taught by the cited references. Reconsideration and withdrawal of the rejection is requested.

In view of the forgoing, it is respectfully submitted that the present claims are in condition for allowance. An early notice to that effect is earnestly solicited. Should there be any questions, the Examiner is invited to contact the undersigned at the number shown below.

Respectfully submitted,

Date: November 16, 2000 :

By:



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